



Byron Shire Council



Minutes

Byron Shire Reserve Trust Committee Meeting

Thursday, 21 November 2013

BYRON SHIRE COUNCIL

Byron Shire Reserve Trust Committee Meeting Minutes
21 November 2013

INDEX OF ITEMS DISCUSSED

The following items are listed in the order in which they were dealt with.

Report No. 3.1. Trust Licence to Mullumbimby Tennis Association Inc over part Crown Reserve 31910 Mullumbimby Recreation Grounds.....	1
Report No. 4.1. Early bird parking Butler Street Reserve part of Park and Ride Trial Byron Bay 26/12/13 to 6/1/14 inclusive.....	2

BYRON SHIRE COUNCIL

BYRON SHIRE RESERVE TRUST
COMMITTEE MEETING MINUTES

21 NOVEMBER 2013 (1 of 3)

**MINUTES OF THE BYRON SHIRE COUNCIL BYRON SHIRE RESERVE TRUST
COMMITTEE MEETING HELD ON THURSDAY, 21 NOVEMBER 2013 COMMENCING AT
2.03PM AND CONCLUDING AT 2.15PM**

#E2013/74423

PRESENT: Cr S Richardson (Mayor), Cr B Cameron, Cr D Dey, Cr A Hunter,
Cr S Ibrahim, Cr P Spooner, Cr R Wanchap and Cr D Woods

Staff: Ken Gainger (General Manager)
Phil Holloway (Executive Manager Community Infrastructure)
Mark Arnold (Executive Manager Corporate Management)
Ray Darney (Executive Manager Environment and Planning)
Shannon McKelvey (Executive Manager Organisational Support)
Phil Warner (Executive Manager Water and Recycling)
Joylene McNamara (Minute Taker)

The Mayor opened the meeting and acknowledged that the meeting was being held on Bundjalung Country.

APOLOGIES: There was an apology received from Cr Cubis.

13-618 Resolved that the apology from Cr Cubis be accepted and leave of absence granted.
(Richardson/Woods)

REQUESTS FOR LEAVE OF ABSENCE

There were no requests for leave of absence.

DECLARATIONS OF INTEREST – PECUNIARY AND NON-PECUNIARY

There were no declarations of interest.

CORPORATE MANAGEMENT- EXECUTIVE MANAGER'S REPORT

**Report No. 3.1. Trust Licence to Mullumbimby Tennis Association Inc over part
Crown Reserve 31910 Mullumbimby Recreation Grounds**

File No: #E2013/57645

13-619 Resolved:

1. That the Reserve Trust not call tenders or conduct a similar competitive process to grant a trust licence over part Lot 389 DP 728162 being part Crown Reserve 31910 Mullumbimby Recreation Grounds, but instead direct negotiate with Mullumbimby Tennis Association Incorporated for the following reasons:
 - Mullumbimby Tennis Association Incorporated is a community based incorporated not for profit organisation
 - the land is zoned 6 (a) open space zone
 - the land is a Crown Reserve for purpose of public recreation
 - the expenditure the organisation has, and continues to spend, in building, maintaining and upgrading the tennis facility.

BYRON SHIRE COUNCIL

BYRON SHIRE RESERVE TRUST COMMITTEE MEETING MINUTES

21 NOVEMBER 2013 (2 of 3)

2. That Council, as Reserve Trust Manager, grant a trust licence to Mullumbimby Tennis Association Inc over part Lot 389 DP 728162 substantially in the form at Annexure 1(d) (#E2013/64325) on the following terms, subject to Ministerial consent:
 - a) Term of five (5) years commencing 1 December 2013;
 - b) Rent \$446.00 per annum excluding GST
 - c) Rent rebate \$6,154.00 per annum excluding GST (Calculated on basis of Market rent \$6,600.00 per annum ex GST less Crown minimum rent \$446.00 per annum excluding GST);
 - d) Licence fee and rent rebate to be adjusted accordingly if Crown minimum rent increases prior to commencement date of the licence; and
 - e) Licensee to pay for all services, running costs and maintenance.
3. That Council, as Reserve Trust Manager, authorise the General Manager to execute and affix the Seal to the 5-year Trust Licence with Mullumbimby Tennis Association Inc over part Lot 389 DP 728162 in accordance with Local Government (General) Regulations 2005.
4. That Council, as Reserve Trust Manager, authorise the General Manger to apply to the Crown Lands Division of NSW Trade and Investment for Ministerial consent to exercise the holding over clause in the current Trust Lease. (Richardson/Woods)

The motion was put to the vote and declared carried.

LATE REPORT

**Report No. 4.1. Early bird parking Butler Street Reserve part of Park and Ride Trial
Byron Bay 26/12/13 to 6/1/14 inclusive**

File No: #E2013/72441

13-620 Resolved:

Subject to Council resolving to adopt recommendations on the Trial Park and Ride (including early bird parking at Butler Street Reserve) at its Ordinary Meeting on 21 November 2013:

1. That Byron Bay (R88993) Reserve Trust confirms its support of the Trial Park and Ride proposal including the early bird parking proposal for Butler Street Reserve for early bird parking for 9 of the 12 day duration of the Trial Park and Ride over Christmas/New Year 2013/14.
2. That Byron Bay (R88993) Reserve Trust confirms its support to enter into a Licence with NSW Trade and Investment Crown Lands Division for part Butler Street Reserve to authorise the short term use of early bird parking as outlined in 1 above.
3. That Byron Bay (R88993) Reserve Trust authorise the General Manager to complete and lodge the Application for Licence over Crown Land with NSW Trade and Investment Crown Lands Division for the use of part Butler Street Reserve as outlined in 1 above.
4. That Byron Bay (R88993) Reserve Trust authorise the General Manager to execute and affix the Seal (if required) to the Licence over part Butler Street Reserve being Lot 389 DP 728537 in accordance with Local Government (General) Regulations 2005. (Richardson/Dey)

BYRON SHIRE COUNCIL

BYRON SHIRE RESERVE TRUST
COMMITTEE MEETING MINUTES

21 NOVEMBER 2013 (3 of 3)

The motion was put to the vote and declared carried.

There being no further business the meeting concluded at 2.15pm.

I hereby certify that these are the true and correct Minutes of this Meeting
as confirmed at Council's Ordinary Meeting on 12 December 2013.

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Mayor Simon Richardson